

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Civil Case No. 07-CV-8074

GARDEN CITY BOXING CLUB, INC.
Plaintiff

Judge Andrew J. Peck

against

JOA, INC. d/b/a DICEY'S
and Mary Anne Vicale
Defendant

PLAINTIFF'S INITIAL DISCLOSURE
PURSUANT TO FED R. CIV. P. 26(A)(1)

Pursuant to the requirement of Federal Rule of Civil Procedure 26, Garden City Boxing Club, Inc., Plaintiff in the above entitled action, makes the following disclosures by and through its undersigned counsel:

1. Initial Disclosures

(A) The identity of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the Complaint is as follows:

(1) Garden City Boxing Club, Inc c/o Thomas P. Riley, P.C., First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227; having knowledge as to the unauthorized publication and use of the telecast of Oscar De La Hoya and Bernard Hopkins on September 18, 2004 at the JOA, Inc. d/b/a Dicey's.

(2) JOA Inc. d/b/a Dicey's ("Defendant"), 620 South Broadway, Yonkers, New York 10705; knowledge as to the information contained in and relating to the unauthorized publication and use of the

telecast of Oscar De La Hoya and Bernard Hopkins on September 18, 2008 at the JOA Inc., d/b/a Dicey's.

(B) All documents, date complications, and tangible things that are in possession, custody, or control of Garden City Boxing Club, Inc., may use to support its claims and/or defenses include the following:

- (1) Copy of investigators report;
- (2) Responses to discovery;
- (3) Deposition testimony, if any;
- (4) any other relevant document not yet discovered by Plaintiff which would be relevant to Plaintiff's case.

The documents are located or will be located at the offices of Thomas P. Riley, PC, First Library Square, 1114 Fremont Avenue, South Pasadena, CA 91030-3227 and Paul J. Hooten & Associates, PLLC, 5505 Nesconset Hwy., Suite 203, Mt. Sinai, New York 11766. There may be other documents that may be relevant that are not yet known which may be used to support the claims and/or defenses of Garden City Boxing Club, Inc.

(C) Damages to Plaintiff arising from the Defendant's authorized use of the telecast of Oscar De La Hoya and Bernard Hopkins on September 18, 2008 at the JOA Inc., d/b/a Dicey's and attorney fees and costs.

(D) Fed.R.Civ. P. 26 (a) (1) (D) does not apply to this matter.

Date: June 3, 2008

Respectfully submitted,

/s/ Paul J. Hooten
PAUL J. HOOTEN & ASSOCIATES
ATTORNEY FOR PLAINTIFF
5505 Nesconset Hwy., Suite 203
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(631) 331-0547

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CERTIFICATE OF SERVICE

I certify that a copy of the plaintiff's initial disclosure pursuant to Fed. R. Civ. P. 26(A)(1) were sent to the following via U.S. Postal Service, first class mail, postage prepaid on June 3, 2008 to JOA, Inc. d/b/a Dicey's, c/o Johnnie Woluewich, Esq. 984 Morris Park Avenue, Bronx, NY 10462.

By: /s/ Cheryl Lorefice
Cheryl Lorefice
Law Firm of Paul J. Hooten
Attorneys for Garden City Boxing Club, Inc.,
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